

having a central line of symmetry coincident with a line of symmetry through the centre of the circle, the angle moving along the line of symmetry; and,
a controller for moving the beam attenuator in order to vary a size of the portion of the beam attenuator within the beam of light.

fig 2
concl'd
The applicant acknowledges the filing of informal drawings and formal drawings will be submitted upon allowance of the application.

Remarks

The applicant would like to thank Examiner for his assistance in matters relating to this application.

Claims 1-20 are pending in this application.

Claims 1-3, 6, 9, 11, 15-17, and 20 have been rejected under 35 U.S.C. 102 (b) as being anticipated by Hayata, Japanese Pat. Appln. No.4-317009.

The entire Japanese disclosure has been read, and the applicant concludes as follows:

In the attenuator disclosed by Hayata, the optical filter 15 is the element providing the attenuation and has different reflectivity along its face and the prism 12 itself is not an attenuating member and does not have any attenuating portion. During the operation of the attenuator disclosed by Hayata, prism 12 is moved along a beam to direct the beam onto the different position of the optical filter 15, and the reflected beam is coupled to the optical fiber 19. Since the reflectivity of the filter 15 is position dependent, the intensity of the reflected beam varies according to the beam position on the optical filter 15, therefore, the output from the fiber 19 changes with the movement of the prism 12.

In contrast, the applicant is concerned with an attenuator by moving an attenuating member directly across the beam, and a variable attenuation is achieved by varying the size of the

beam attenuator portion within the beam of light and resultantly only passing a portion of the beam. This is a completely different operating principle from the attenuator disclosed by Hayata. In the attenuator disclosed by Hayata, the beam of light does not intersect with both sides (14 and 17) of the prism 12 at the same time (the beam only intersects with one side 14 or 17 but not both at the same time), therefore, the intersection of the beam and the prism 12 does not define a beam region that is smaller than the circular beam and having two substantially equal sides defining an angle therebetween of other than 0 degrees and 180 degrees. Instead, the intersection of the beam and side (14 or 17) of the prism 12 defines the size of the whole circular beam.

The new limitations added in the claims are believed to more clearly distinguish the instant invention from the disclosure of Hayata, and amended claims in this application are now believed to be allowable.

Applicant respectfully requests reconsideration of this application.

Respectfully,

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